



8

TT4244

PATENT

- 1 -

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
AUG 19 2003
OFFICE OF PETITIONS

In re Application of: Mann et al.

Serial No.: 09/879,256

Filed: June 11, 2001

Group Art Unit: 2152

Before the Examiner: To Be Assigned

Title: APPARATUS FOR DELIVERY OF MULTIPLE MEDIA
DATA STREAMS, AND METHOD THEREFOR**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. §1.137(b)**

1. Applicants are concerned that this application became abandoned or will become abandoned since Applicants used the original form PTO/SB/36 (rev. 11-00) to rescind a previous nonpublication request.

2. Applicants had relied upon the United States Patent and Trademark Office's ("USPTO's") original form PTP/SB/36 (rev. 11-00) to both rescind the previous nonpublication request pursuant to 35 U.S.C. §122(b)(2)(B)(ii) and 37 C.F.R. §1.213(b) as well as to provide notice of such foreign filing pursuant to 35 U.S.C. §122(b)(2)(B)(iii) and 37 C.F.R. §1.213(c). However, the USPTO has since provided notice that original form PTP/SB/36 (rev 11-00) was deficient in that it did not provide notice of foreign filing under 35 U.S.C. §122(b)(2)(B)(iii) and 37 C.F.R. §1.213(c). Applicants use of the original form PTO/SB/36 (rev. 11-00) to both rescind the previous nonpublication request and to provide notice of foreign filing was unintentional.

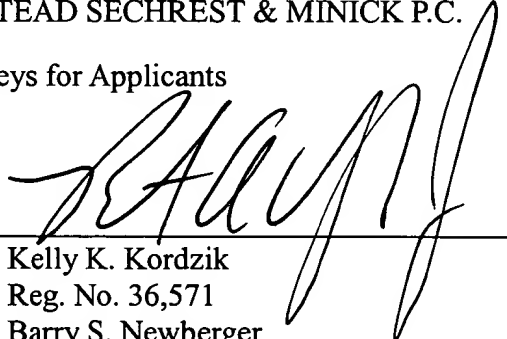
3. A notice of foreign filing is attached herewith.

4. Applicants status is a large entity.
5. Please find enclosed a check for \$1,300.00.
6. If a petition to revive an abandoned application is not necessary, Applicants kindly request a refund in the amount of the above check.
7. If a petition to revive an abandoned application is necessary, Applicants kindly request a refund in the amount of the above check in consideration of Applicants relying upon USPTO's deficient form.

Respectfully submitted,

WINSTEAD SECHREST & MINICK P.C.

Attorneys for Applicants

By: 
Kelly K. Kordzik
Reg. No. 36,571
Barry S. Newberger
Reg. No. 41,527
Robert A. Voigt, Jr.
Reg. No. 47,159

P.O. Box 50784
1201 Main Street
Dallas, Texas 75250-0784
(512) 370-2832

#9

TT4244

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Mann et al.

Serial No.: 09/879,256

Filed: June 11, 2001

Group Art Unit: 2152

Before the Examiner: To Be Assigned

Title: APPARATUS FOR DELIVERY OF MULTIPLE MEDIA
DATA STREAMS, AND METHOD THEREFOR

RECEIVE
AUG 19 2003
OFFICE OF PETITIO

NOTICE OF FOREIGN FILING PURSUANT TO
35 U.S.C. §122(b)(2)(B)(iii)

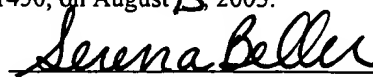
Mail Stop PG Pub
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby provide notice of a foreign or international filing of an application directed to the invention disclosed in the above-identified application pursuant to 35 U.S.C. §122(b)(2)(B)(iii) and 37 C.F.R. §1.213(c).

CERTIFICATION UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop PG Pub Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on August 13, 2003.



Signature

Serena Beller

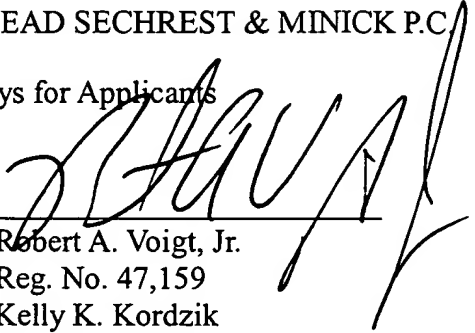
(Printed name of person certifying)

Respectfully submitted, .

WINSTEAD SECHREST & MINICK P.C.

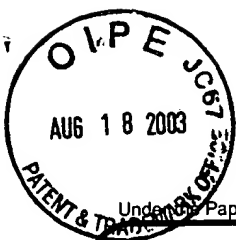
Attorneys for Applicants

By: _____


Robert A. Voigt, Jr.
Reg. No. 47,159
Kelly K. Kordzik
Reg. No. 36,571

P.O. Box 50784
1201 Main Street
Dallas, Texas 75250-0784
(512) 370-2832

AUSTIN_1\224843\1
184-P027US



RECEIVED

AUG 19 2003

DAC

OFFICE OF PETITIONS

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number	09/879,256
Filing Date	06/11/2001
First Named Inventor	Daniel Mann
Group Art Unit	2152
Examiner Name	Not Yet Assigned
Attorney Docket Number	TT4244

Total Number of Pages in This Submission **6****ENCLOSURES (check all that apply)**

- ☒ Fee Transmittal Form
- ☒ Fee Attached
- ☐ Amendment / Reply
- ☐ After Final
- ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/Incomplete Application
- ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Assignment Papers (for an Application)
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☒ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) _____

- ☐ After Allowance Communication to Group
 - ☐ Appeal Communication to Board of Appeals and Interferences
 - ☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
 - ☐ Proprietary Information
 - ☐ Status Letter
 - ☒ Other Enclosure(s) (please identify below):
- Notice of Foreign Filing;
and Postal Receipt Card

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENTFirm
or
Individual name

Robert A. Voigt Jr., Reg. No. 47,159

Signature

Date

08/13/2003

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:

August 13, 2003

Typed or printed name

Serena Beller

Signature

Serena Beller

Date

08/13/2003

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 1,300.00

Complete if Known

Application Number	09/879,256
Filing Date	06/11/2001
First Named Inventor	Daniel Mann
Examiner Name	To Be Assigned
Art Unit	2152
Attorney Docket No.	TT4244

RECEIVED

AUG 19 2003

OFFICE OF PETITIONS

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit
Account
Number
Deposit
Account
Name

23-2426

Winstead Sechrest & Minick P.C.

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☐ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims	-20** =	X	=
Independent Claims	-3** =	X	=
Multiple Dependent			

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	1,300.00
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 1,300.00

SUBMITTED BY

Name (Print/Type)	Robert A. Voigt Jr.	Registration No. (Attorney/Agent)	47,159	Telephone	512-370-2832
Signature		Date	August 13, 2003		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.